## UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA FORT WAYNE DIVISION

AVERY L. GANAWAY	)
Plaintiff,	)
v.	) CIVIL NO. 1:10cv418
MAXIM HEALTH CARE,	)
Defendant.	)

## OPINION AND ORDER

On November 29, 2010, the plaintiff, Avery L. Ganaway ("Ganaway"), filed his <u>pro se</u> complaint. On March 3, 2010, the defendant, Maxim Health Care ("Maxim"), filed a motion to dismiss. On April 13, 2011, after the motion to dismiss had been fully briefed, Attorney Bolinger entered an appearance on behalf of Ganaway. Attorney Bolinger filed a motion to amend the complaint on April 14, 2011. Counsel for Maxim has indicated to the court that Maxim does not oppose the motion to amend and that the amended complaint moots Maxim's current motion to dismiss.

Accordingly, the motion to amend the complaint [DE 33] is hereby GRANTED, and the motion to dismiss [DE 19] is hereby DEEMED MOOT.

William C. Lee
William C. Lee, Judge
United States District Court